

(B) because of subsequent favorable fluctuations in the rates or because other funds are, or become, available to pay the obligations.

(2) A transfer back to the Foreign Currency Fluctuations, Defense appropriation may not be made after the end of the 2d fiscal year after the fiscal year that the appropriation to which the funds were originally transferred is available for obligation.

(b)(1) One hundred million dollars, plus \$25,000,000 from Family Housing, Defense, are appropriated to the Secretary of Defense, to remain available until spent. The appropriation is available only to provide funds to eliminate losses in military construction or expenses of family housing for the Department of Defense caused by fluctuations in currency exchange rates of foreign countries that changed after a budget request was submitted to Congress.

(2) Funds provided under this subsection are merged with and are available for the same purpose and for the same time period as the appropriation to which they are applied. An authorization or limitation limiting the amount that may be obligated or spent is increased to the extent necessary to reflect fluctuations in exchange rates from those used in preparing the budget submission.

(3) An obligation payable in the currency of a foreign country may be recorded as an obligation based on exchange rates used in preparing a budget submission. A change reflecting fluctuations in the exchange rate may be recorded as a disbursement is made.

(4) The Secretary each year shall report to Congress on funds made available under this subsection.

(Added Pub. L. 97-258, § 2(b)(8)(B), Sept. 13, 1982, 96 Stat. 1056.)

CHAPTER 167—DEFENSE MAPPING AGENCY

|       |  |
|-------|--|
| Sec.  |  |
| 2791. | Establishment and duties.                              |
| 2792. | Maps, charts, and books.                               |
| 2793. | Pilot charts.  |
| 2794. | Prices of maps, charts, and navigational publications. |

§ 2791. Establishment and duties

The Defense Mapping Agency is an agency of the Department of Defense. The Defense Mapping Agency shall improve means of navigating vessels of the Navy and the merchant marine by providing, under the authority of the Secretary of Defense, accurate and inexpensive nautical charts, sailing directions, books on navigation, and manuals of instructions for the use of all vessels of the United States and of navigators generally.

(Added Pub. L. 97-295, § 1(50)(C), Oct. 12, 1982, 96 Stat. 1299.)

HISTORICAL AND REVISION NOTES

| Revised section | Source (U.S. Code) | Source (Statutes at Large) |
|-----------------|--------------------|----------------------------|
| 2791 .....      | 10:7391.           |                            |

The first sentence is substituted for "There is attached to the Office of the Chief of Naval Operations

a United States Naval Oceanographic Office" to reflect the transfer of functions of the Naval Oceanographic Office to the Secretary of Defense by Department of Defense Reorganization Order of March 28, 1972, and the further delegation to the Defense Mapping Agency of the responsibilities assigned the Secretary of Defense under the source provision. The words "Secretary of Defense" are substituted for "Secretary of the Navy" for consistency.

§ 2792. Maps, charts, and books

The Secretary of Defense may—

(1) have the Defense Mapping Agency prepare maps, charts, and nautical books required in navigation and have those materials published and furnished to navigators; and

(2) buy the plates and copyrights of existing maps, charts, books on navigation, and sailing directions and instructions.

(Added Pub. L. 97-295, § 1(50)(C), Oct. 12, 1982, 96 Stat. 1299.)

HISTORICAL AND REVISION NOTES

| Revised section | Source (U.S. Code) | Source (Statutes at Large) |
|-----------------|--------------------|----------------------------|
| 2792 .....      | 10:7392.           |                            |

In the section, the words "Secretary of Defense" and "Defense Mapping Agency" are substituted for "Secretary of the Navy" and "United States Naval Oceanographic Office", respectively, for consistency with 10:2791. The words "under such regulations as he prescribes" are omitted as unnecessary.

§ 2793. Pilot charts

(a) There shall be conspicuously printed on pilot charts prepared in the Defense Mapping Agency the following: "Prepared from data furnished by the Defense Mapping Agency of the Department of Defense and by the Department of Commerce, and published at the Defense Mapping Agency under the authority of the Secretary of Defense".

(b) The Secretary of Commerce shall furnish to the Defense Mapping Agency, as quickly as possible, all meteorological information received by the Secretary that is necessary for, and of the character used in, preparing pilot charts.

(Added Pub. L. 97-295, § 1(50)(C), Oct. 12, 1982, 96 Stat. 1299.)

HISTORICAL AND REVISION NOTES

| Revised section | Source (U.S. Code) | Source (Statutes at Large) |
|-----------------|--------------------|----------------------------|
| 2793 .....      | 10:7393.           |                            |

The words "Secretary of Defense" and "Defense Mapping Agency" are substituted for "Secretary of the Navy" and "United States Naval Oceanographic Office", respectively, for consistency with 10:2791. The words "Secretary of Commerce" are substituted for "Weather Bureau of the Department of Commerce" to reflect the transfer of functions from the Weather Bureau to the Secretary of Commerce under Reorganization Plan No. 2 of 1965 (eff. July 13, 1965, 79 Stat. 1318). The word "quickly" is substituted for "expeditiously" for consistency in title 10.

§ 2794. Prices of maps, charts, and navigational publications

All maps, charts, and other publications offered for sale by the Defense Mapping Agency shall be sold at prices and under regulations that may be prescribed by the Secretary of Defense.

(Added Pub. L. 97-295, § 1(50)(C), Oct. 12, 1982, 96 Stat. 1299.)

| HISTORICAL AND REVISION NOTES |                    |                            |
|-------------------------------|--------------------|----------------------------|
| Revised section               | Source (U.S. Code) | Source (Statutes at Large) |
| 2794 .....                    | 10:7394.           |                            |

The words "Secretary of Defense" and "Defense Mapping Agency" are substituted for "Secretary of the Navy" and "United States Naval Oceanographic Office", respectively, for consistency with 10:2791. The word "prescribed" is substituted for "determined" for consistency in title 10. The last sentence, which provided that money from sales be covered into the Treasury, is omitted because of 31:3302.

CHAPTER 169—MILITARY CONSTRUCTION AND MILITARY FAMILY HOUSING

| Subchapter   | Sec. |
|--|------|
| I. Military Construction .....   | 2801 |
| II. Military Family Housing .....  | 2821 |
| III. Administration of Military Construction and Military Family Housing ..... | 2851 |

SUBCHAPTER 1—MILITARY CONSTRUCTION

| Sec.  |  |
|-------|--|
| 2801. | Scope of chapter; definitions.   |
| 2802. | Military construction projects.  |
| 2803. | Emergency construction.  |
| 2804. | Contingency construction.  |
| 2805. | Unspecified minor construction.  |
| 2806. | Contributions for North Atlantic Treaty Organization Infrastructure.               |
| 2807. | Architectural and engineering services and construction design.                    |
| 2808. | Construction authority in the event of a declaration of war or national emergency. |

§ 2801. Scope of chapter; definitions

(a) The term "military construction" as used in this chapter or any other provision of law includes any construction, development, conversion, or extension of any kind carried out with respect to a military installation.

(b) A military construction project includes all military construction work, or any contribution authorized by this chapter, necessary to produce a complete and usable facility or a complete and usable improvement to an existing facility (or to produce such portion of a complete and usable facility or improvement as is specifically authorized by law).

(c) In this chapter:

- (1) "Facility" means a building, structure, or other improvement to real property.
- (2) "Military installation" means a base, camp, post, station, yard, center, or other activity under the jurisdiction of the Secretary of a military department or, in the case of an activity in a foreign country, under the operational control of the Secretary of a military department or the Secretary of Defense.

(3) "Secretary concerned" includes the Secretary of Defense with respect to matters concerning the defense agencies.

(4) "Appropriate committees of Congress" means the Committees on Armed Services and on Appropriations of the Senate and House of Representatives.

(d) This chapter does not apply to the Coast Guard or to civil works projects of the Army Corps of Engineers.

(Added Pub. L. 97-214, § 2(a), July 12, 1982, 96 Stat. 153.)

EFFECTIVE DATE

Section 12 of Pub. L. 97-214 provided:

"(a) Except as provided in subsection (b), the amendments made by this Act [see Short Title of 1982 Amendment note below] shall take effect on October 1, 1982, and shall apply to military construction projects, and to construction and acquisition of military family housing, authorized before, on, or after such date.

"(b) The amendment made by section 4 [amending section 138 of this title] shall apply with respect to funds appropriated for fiscal years beginning after September 30, 1983."

SHORT TITLE OF 1982 AMENDMENT

Section 1 of Pub. L. 97-214 provided that: "This Act [enacting this chapter and sections 2239, 2394, 2577, 2689, and 2690 of this title, and section 1704c of Title 7, Agriculture, amending sections 138, 2232, 2233, 2233a, 2236, 2237, 2238, 2388, 2675, 2676, 2677, 2682, 2687, and 2775 of this title, section 649c of former Title 31, Money and Finance, sections 1592d and 5042 of Title 42, The Public Health and Welfare, section 1409b of Title 48, Territories and Insular Possessions, and section 491 of Title 50, War and National Defense, repealing sections 2212, 2661, 2873, 2874, 2878, 2681, 2684, 2688, 2688, 4774, and 9774 of this title, section 1704b of Title 7, section 1002a of Title 30, Mineral Lands and Mining, sections 723 and 723a of former Title 31, sections 1594a, 1594a-1, 1594a-2, 1594l, 1594h-1, 1594h-2, 1594h-3, 1594i, 1594j-1, and 1594k of Title 42, and section 2287 of the Appendix to Title 50, War and National Defense, enacting provisions set out as notes under sections 2805, 2807, 2825, and 2828 of this title and section 1594k of Title 42, and repealing provisions set out as notes under sections 140, 1077, and 2862 of this title] may be cited as the 'Military Construction Codification Act'."

§ 2802. Military construction projects

(a) The Secretary of Defense and the Secretaries of the military departments may carry out such military construction projects as are authorized by law.

(b) Authority provided by law to carry out a military construction project includes authority for—

- (1) surveys and site preparation;
- (2) acquisition, conversion, rehabilitation, and installation of facilities;
- (3) acquisition and installation of equipment and appurtenances integral to the project;
- (4) acquisition and installation of supporting facilities (including utilities) and appurtenances incident to the project; and
- (5) planning, supervision, administration, and overhead incident to the project.